IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 13TH DECEMBER 2007 / 22ND AGRAHAYANA 1929

WP(C).No. 36877 of 2007(M)

PETITIONER:

ESSAR TELECOM RETAIL LTD.,
35/1012, KALYANI COMPLEX, M.K.K.NAIR ROAD,
PALARIVATTOM, KOCHI-682 025, REPRESENTED BY
AUTHORIZED SIGNATORY P.KRISHNAKUMAR.

BY ADV. SRI.VIJAYAN. K.U.
SRI.K.N.SREEKUMARAN
SRI.N.R.SAJ

RESPONDENTS:

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1. COMMERCIAL TAX INSPECTOR,
COMMERCIAL TAX CHECK POST, WALAYAR IN COUNTER-4,
PALAKKAD.

2. STATE OF KERALA, REPRESENTED BY
THE SECRETARY (TAXES), GOVT. SECRETARIAT,
THIRUVANANTHAPURAM.

BY GOVTERNMENT PLEADER SRI C.K.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 36877 of 2007

Dated: December 13, 2007

JUDGMENT

The detention of the goods by Ext.P4 is under challenge. It is seen that in identical circumstances on an earlier occasion when its goods were detained, the petitioner had approached this court and the writ petition was disposed of by Ext.P5 judgment. Since the issue raised in this case is identical, there is no reason to adopt a different course in this case.

2. Accordingly, this writ petition is disposed of directing that the goods detained as per Ext.P4 be released to the petitioner on execution of a simple bond without sureties for the security amount. Along with that, the petitioner shall also produce a certified copy of the certificate of registration before the respondent. Thereafter, adjudication shall be completed as expeditiously as possible.

ANTONY DOMINIC, JUDGE

Issue copy today itself.

mt/-